

## **Assembly Bill No. 2717**

### **CHAPTER 957**

An act to add Section 12949.6 to the Water Code, relating to water, and making an appropriation therefor.

[Approved by Governor September 26, 2002. Filed  
with Secretary of State September 27, 2002.]

I am signing Assembly Bill 2717, however, I am reducing the appropriation from the Renewable Resources Investment Fund to \$100,000.

This bill would require the Department of Water Resources to convene a Water Desalination task force to make recommendations related to potential opportunities for the use of seawater and brackish water desalination.

The revenues from the Renewable Resources Investment Fund are below projections and the fund is expected to have a significant shortfall this year. At a time when the state is dealing with a \$24 billion shortfall, any available funds should be used for on-going environmental activities and programs now supported by the General Fund that would otherwise be reduced or eliminated.

Studying the potential opportunities and impediments for the use of water desalination is an important step toward helping the state meet its water needs. Therefore, I am directing the Department of Water Resources to explore funding partnerships with interested local and private entities to accomplish this goal.

GRAY DAVIS, Governor

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2717, Hertzberg. Water: desalination: report.

(1) The Cobey-Porter Saline Water Conversion Law authorizes the Department of Water Resources, either independently or in cooperation with public or private entities to conduct a program of investigation, study, and evaluation in the field of saline water conversion, to provide assistance to persons or entities seeking to construct desalination facilities, and after submission of a written report and upon appropriation from the Legislature, to finance, construct, and operate saline water conversion facilities.

This bill would require the department, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. The bill would require the department to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature.

(2) Under existing law, the Bosco-Keene Renewable Resources Investment Fund is established for certain purposes.

This bill would appropriate \$600,000 from the Bosco-Keene Renewable Resources Investment Fund to the department for the purpose of establishing the Water Desalination Task Force and preparing the report required by the bill.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares as follows:

- (a) There is a clear public interest in ensuring that land and facilities are available for cost-effective seawater desalination.
- (b) Recent advances in technology could make seawater desalination a more attractive option for increasing available water supplies.
- (c) Additional information is necessary to assess the potential opportunities for seawater desalination in California.
- (d) The activities of a water desalination task force are consistent with those activities for which the moneys in the Bosco-Keene Renewable Resources Investment Fund may be used pursuant to Section 34000 of the Public Resources Code.

SEC. 2. Section 12949.6 is added to the Water Code, to read:

12949.6. (a) Not later than July 1, 2004, the Department of Water Resources shall report to the Legislature on potential opportunities for the use of seawater and brackish water desalination in California. The report shall evaluate impediments to the use of desalination technology and shall examine what role, if any, the state should play in furthering the use of desalination in California.

(b) The department shall convene a task force, to be known as the Water Desalination Task Force, to advise the department in implementation of subdivision (a), including making recommendations to the Legislature regarding the following:

- (1) The need for research, development and demonstration projects for more cost effective and technologically efficient desalination processes.
- (2) The environmental impacts of brine disposal, energy use related to desalination, and large-scale ocean water desalination.
- (3) An evaluation of the current regulatory framework of state and local rules, regulations, ordinances, and permits to identify the obstacles and methods to creating an efficient siting and permitting system.
- (4) Determining a relationship between existing electricity generation facilities and potential desalination facilities, including an examination of issues related to the amounts of electricity required to maintain a desalination facility.
- (5) Ensuring desalinated water meets state water quality standards.



(6) Impediments or constraints, other than water rights, to increasing the use of desalinated water both in coastal and inland regions.

(7) The economic impact and potential impacts of the desalination industry on state revenues.

(8) The role that the state should play in furthering the use of desalination technology in California.

(9) An evaluation of a potential relationship between desalination technology and alternative energy sources, including photovoltaic energy and desalination.

(c) (1) The task force shall be convened by the department and be comprised of one representative from each of the following agencies:

(A) The department.

(B) The California Coastal Commission.

(C) The State Energy Resources Conservation and Development Commission.

(D) The California Environmental Protection Agency.

(E) The State Department of Health Services.

(F) The Resources Agency.

(G) The State Water Resources Control Board.

(H) The CALFED Bay-Delta Program.

(I) The Department of Food and Agriculture.

(J) The University of California.

(K) The United States Department of Interior, if that agency wishes to participate.

(2) The task force shall also include, as determined by the department, one representative from a recognized environmental advocacy group, one representative from a consumer advocacy group, one representative of local agency health officers, one representative of a municipal water supply agency, one representative of urban water wholesalers, one representative from a regional water control board, one representative from a groundwater management entity, one representative of water districts, one representative from a nonprofit association of public and private members created to further the use of desalinated water, one representative of land development, and one representative of industrial interests.

(d) The sum of \$600,000 is hereby appropriated from the Bosco-Keene Renewable Resources Investment Fund to the department for the purpose of establishing the task force and preparing the report required in subdivision (a).

